

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DWAYNE EDMUND WILSON,

Plaintiff,

v.

UNKNOWN OLSON, et al.,

Defendants.

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Case No. 1:22-cv-875

Hon. Hala Y. Jarbou

**ORDER**

On October 19, 2023, Magistrate Judge Phillip J. Green issued a Report and Recommendation (R&R) recommending that the Court grant Defendant's motion for partial summary judgment and deny Plaintiff's motion for summary judgment and that Plaintiff's retaliatory transfer claim be dismissed without prejudice for failure to exhaust administrative remedies. (ECF No. 33). The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so has expired. On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

**IT IS ORDERED** that the R&R (ECF No. 33) is **APPROVED** and **ADOPTED** as the opinion of the Court.

**IT IS FURTHER ORDERED** that MDOC Defendant Allen's Motion for Partial Summary Judgment on the Basis of Exhaustion (ECF No. 23) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment (ECF No. 28) is **DENIED**.

**IT IS FURTHER ORDERED** that Plaintiff's retaliatory transfer claim is **DISMISSED** without prejudice for failure to exhaust administrative remedies.

Dated: November 20, 2023

/s/ Hala Y. Jarbou

HALA Y. JARBOU

CHIEF UNITED STATES DISTRICT JUDGE